

AUG 24 2005

Response Under 37 CFR § 1.116 * - Expedited Procedure - Examining Group 3739
 Serial Number: 10/046,573
 Docket No.: 1242.002A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gallo **Confirmation No.:** 4971
Serial No.: 10/046,573 **Group Art Unit:** 3739
Filed: 01/14/2002 **Examiner:** Rosiland Stacie Kearney
Title: ELECTROSURGICAL COAGULATING AND CUTTING INSTRUMENT

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attn, Examiner Rosiland Stacie Kearney, Group Art Unit 3739, at facsimile no. 1-571-273-8300, on August 24, 2005.



Victor A. Cardona, Esq.
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 Registration No. 44,589

Date of Signature: August 24, 2005

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Fax No.: (571) 273-8300
 No. of Pages: 5

RESPONSE TO ACTION

Dear Sir:

This paper is filed in response to the Final Office Action mailed on June 24, 2005, in connection with the above-identified U.S. patent application. The three-month period for response expires on September 24, 2005. Accordingly, this response is timely filed.

Claims begin on page 2 of this paper. This claim set will replace all prior versions. No amendments have been made.

Remarks begin on page 5 of this paper.

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 R. Rollins
 9/12/05

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P. 001

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Date of Signature: December 8, 2004

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Commissioner for Patents
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Alexandria, Virginia 22313-1450

Fax No.: (703) 872-9306
No. of Pages: 3

RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

This paper is filed in response to the Final Office Action mailed on September 21, 2004, in connection with the above-identified U.S. patent application. The three-month period for response expires on December 21, 2004. Accordingly, this response is timely filed.

Remarks begin on page 2 of this paper.